

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

NETLIST, INC.,

Plaintiff,

vs.

SAMSUNG ELECTRONICS CO., LTD.  
ET AL.

Defendants.

Case No. 2:22-cv-293-JRG (Lead Case)

JURY TRIAL DEMANDED

NETLIST, INC.,

Plaintiff,

vs.

MICRON TECHNOLOGY, INC.;  
MICRON SEMICONDUCTOR  
PRODUCTS, INC.; MICRON  
TECHNOLOGY TEXAS LLC,

Defendants.

Case No. 2:22-cv-294-JRG

JURY TRIAL DEMANDED

**DECLARATION OF MICHAEL R. RUECKHEIM IN SUPPORT OF DEFENDANT  
MICRON'S RESPONSE TO PLAINTIFF NETLIST'S MOTION FOR SUMMARY  
JUDGMENT DISMISSING MICRON'S AFFIRMATIVE DEFENSE OF BREACH OF  
RAND OBLIGATION OR IN THE ALTERNATIVE FOR SEVERANCE**



I, Michael R. Rueckheim, declare as follows:

1. I am an attorney at the law firm of Winston & Strawn LLP, counsel of record for Defendants Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas LLC (collectively, “Micron”) in the above captioned matter. I am a member in good standing of the State Bar of Texas. I provide this declaration in support of Micron’s Response to Netlist’s Motion for Summary Judgment Dismissing Micron’s Defense of Breach of RAND Obligation or in the Alternative for Severance.

2. Attached as Exhibit 1 is a true and correct copy of a document produced in this case, [REDACTED] bearing Bates numbers NL-MIC-203\_00030433 – NL-MIC-203\_00030436.

3. Attached as Exhibit 2 is a true and correct copy of a document produced in this case, [REDACTED] bearing Bates number NL-MIC-203\_00030437.

4. Attached as Exhibit 3 is a true and correct copy of a document produced in this case dated April 1, 2022, [REDACTED] Dkt. 340 at 2 (internal quotations omitted), bearing Bates numbers NL-MIC-203\_00030438 – NL-MIC-203\_00030442.

5. Attached as Exhibit 4 is a true and correct copy of a document produced in this case titled [REDACTED] bearing Bates numbers NL-MIC-203\_00030443 – NL-MIC-203\_00030446.

[REDACTED]

6. Attached as Exhibit 5 is a true and correct copy of excerpts of a document produced in this case titled [REDACTED] bearing Bates numbers NETLIST SAMSUNG\_EDTX00042467– NETLIST SAMSUNG EDTX00042552.

7. Attached as Exhibit 6 is a true and correct copy of a document attached as Exhibit 6 to Netlist’s Motion for Summary Judgment Dismissing Micron’s Affirmative Defense of Breach of RAND Obligation or in the Alternative for Severance, the document [REDACTED]  
[REDACTED]  
[REDACTED]  
Dkt. 340 at 2 (internal quotation marks omitted).

8. Attached as Exhibit 7 is a true and correct copy of excerpts from Mr. David Kennedy’s expert report in this case, dated November 20, 2023.

9. Attached as Exhibit 8 is a true and correct copy of a PDF version of a portion of JEDEC-00020635, produced natively, a [REDACTED]  
[REDACTED]

I declare under penalty of perjury under laws of the United States of America that the foregoing is true and correct.

Executed on January 30, 2024.

/Michael R. Rueckheim /

Michael R. Rueckheim